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24 PACIFIC BELL TELEPHONE COMPANY

15 **UNITED STATES DISTRICT COURT**
16 **EASTERN DISTRICT OF CALIFORNIA**

17 CALIFORNIA SPORTFISHING
18 PROTECTION ALLIANCE,

19 Plaintiff,

20 v.

21 PACIFIC BELL TELEPHONE
22 COMPANY,

23 Defendant.

24 CASE NO. 2:21-cv-00073-JDP

25 **NOTICE OF MOTION TO COMPEL
26 COMPLIANCE BY NON-PARTY BELOW
27 THE BLUE WITH THE COURT'S ORDERS**

28 Judge: Hon. Jeremy D. Peterson
Date: January 25, 2024
Time: 10:00 a.m.
Courtroom: 9

Action Filed: January 14, 2021
Trial Date: None

1 **TO THE COURT, ALL PARTIES, AND THEIR COUNSEL OF RECORD:**

2 **PLEASE TAKE NOTE** that on January 25, 2024, at 10:00 a.m., or as soon thereafter as counsel
3 may be heard via Zoom, Pacific Bell Telephone Company (“Pacific Bell”) will and hereby does move for
4 an Order directing Below the Blue (“BtB”) to submit to ESI collection and production by an independent
5 third party for the purpose of identifying and producing responsive materials that BtB was required to
6 produce under this Court’s November 9, 2023 and December 7, 2023 Orders. The Hearing will be
7 conducted via Zoom (Dkt. 95). Contact and other information for the Court and the Courtroom Deputy is
8 available at the following website: <https://www.caed.uscourts.gov/CAEDnew/index.cfm/judges/all-judges/50231/>.

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10 This Motion is based upon the supporting Memorandum of Points and Authorities, the Declaration
11 of Jon David Kelley, all pleadings and materials on file with the Court, and all other matters presented to
12 the Court before the Motion is taken under submission.

13 Respectfully submitted,

14 DATED: January 4, 2024

KIRKLAND & ELLIS

15 By: /s/ Hariklia Karis
16 HARIKLIA “CARRIE” KARIS

17 Attorney for Defendant
18 PACIFIC BELL TELEPHONE COMPANY

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